

## REMARKS

This RCE is responsive to the final Office Action dated May 13, 2003 in which the Examiner rejects all the pending claims 1 and 3 -11 as being obvious over Gill (US Patent No. 6,275,363) in view of Olivas et al (US Patent No. 6,507,187) or Sano et al (US Patent No. 6,430,012), or over Gill (US Patent No. 6,219,209) in view of Olivas et al or Sano et al, and further in view of Gill (US Patent No. 6,275,363), under 35USC §103(a). Claims 5 and 6 are further rejected for defective claim language. The applicants have further amended claims 1, 4 and 6, and respectfully traverse the rejections based on the amendment as well as the detailed explanation below.

As amended, Claims 1 recites the feature that “the Cu-type layer on both sides being contiguous with a CoFe layer”, which is believed patentably distinguishing from the cited patents. In particular, none of the cited patents teaches or implies to use CoFe as a separation layer between the Cu-type spacer and the free layer (which is typically of NiFe) or the pinned layer so as to prevent diffusion. As having been noticed by the Examiner, neither of the Gill patents (US Patents Nos. 6,219,209 and 6,275,363) discloses a separation layer on both sides of the Cu-type spacer. Olivas et al (US Patent No. 6,507,187) and Sano et al (US Patent No. 6,430,012) do teach to use cobalt (Co) as such a separation layer for preventing diffusion (see col. 5, lines 10-13 and col. 7, lines 29-30 in Olivas patent, and col. 9, lines 53-60 in Sano patent). Neither of them, however, teaches or implies to use CoFe as such a separation layer, as taught by the present invention defined in Claim 1. Compared with Co, CoFe gives a lower coercivity and better texture in the free layer (see col. 3, lines 19-20 of the Specification).

Therefore, with the above distinguishing feature that “the Cu-type layer on both sides being contiguous with a CoFe layer,” which cannot be found in any of the cited patents, Claim 1 is

believed patentable under 35USC §103(a). At least for the same reason, dependent claims 3-11 are also believed patentable since each of them includes all the limitations in claim 1.

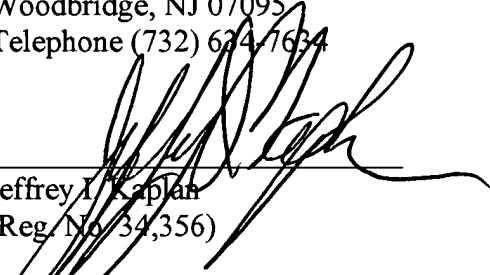
The language deficiencies in claims 5 and 6 are believed to have been overcome with the new amendment, and all the claims are believed in a good condition for allowance.

Thus, the applicants respectfully request reconsideration and allowance of the application in view of the amendment and above explanations. The Examiner is authorized to deduct any fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Mail Stop RCE, Commissioner for Patents, Washington, D.C. 20231 on August 1, 2003.

Dated August 1, 2003 Signed  Print Name Paula M. Halsey